

CLOSED

**U.S. District Court  
Eastern District of New York (Central Islip)  
CIVIL DOCKET FOR CASE #: 2:05-cv-01430-LDW  
Internal Use Only**

Vogt et al v. Veeco Instruments, Inc. et al  
Assigned to: Senior-Judge Leonard D. Wexler  
Cause: 15:78m(a) Securities Exchange Act

Date Filed: 03/18/2005  
Jury Demand: Plaintiff  
Nature of Suit: 850  
Securities/Commodities  
Jurisdiction: Federal Question

**Plaintiff**

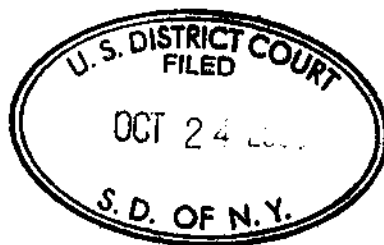
**Gerald J. Vogt**

represented by **Aaron L. Brody**  
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**Plaintiff**

**Eleanor L. Vogt**  
*on behalf themselves and all others*  
*similarly situated*

represented by **Aaron L. Brody**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Joseph Harry Weiss**  
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**Tzivia Brody**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Veeco Instruments, Inc.**

**Defendant**

**Edward Braun**

**Defendant**

**John Rein, Jr.**

Date Filed	#	Docket Text
03/18/2005	● <u>1</u>	COMPLAINT against Veeco Instruments, Inc., Edward Braun, John Rein, Jr filing fee \$ 250, receipt number 307346, filed by Gerald J. Vogt, Eleanor L. Vogt. (Attachments: # <u>1</u> Civil Cover Sheet)(Romano, Daniel) (Entered: 03/23/2005)
03/18/2005	●	Summons Issued as to Veeco Instruments, Inc., Edward Braun, John Rein, Jr. (Romano, Daniel) (Entered: 03/24/2005)
03/22/2005	● <u>2</u>	DEMAND for Trial by Jury by Gerald J. Vogt, Eleanor L. Vogt.

		(Romano, Daniel) Additional attachment(s) added on 3/23/2005 (Romano, Daniel). (Entered: 03/23/2005)
03/23/2005	● <u>3</u>	Notice of Related Case Assignment sent to chambers with copy of complaint attached. (Romano, Daniel) (Entered: 03/23/2005)
03/28/2005	●	Case Ineligible for Arbitration(Bollbach, Jean) (Entered: 03/28/2005)
04/14/2005	● <u>4</u>	STIPULATION re <u>1</u> Complaint <i>to be amended within sixty (60) days of the appointment of lead plaintiff. Defendants must answer, move or otherwise respond to the consolidated amended complaint forty-five (45) days after the filing of the consolidated amended complaint with the court. Service of Plaintiff's Original Class Action Complaint accepted by Veeco Instruments, Inc., Edward Braun, John Rein, Jr. (Serio, Robert)</i> (Entered: 04/14/2005)
04/29/2005	● <u>5</u>	NOTICE by Veeco Instruments, Inc., Edward Braun, John Rein, Jr <i>have filed with the Judicial Panel on Multidistrict Litigation ("MDL Panel") a Motion to Transfer and Consolidate Actions ("Motion") pursuant to 28 U.S.C. sect. 1407 (Attachments: # <u>1</u> Exhibit A - Notice of Motion# <u>2</u> Exhibit B - Memorandum of Law# <u>3</u> Exhibit C - Declaration)</i> (Serio, Robert) (Entered: 04/29/2005)
05/11/2005	● <u>6</u>	Letter from Wm. Terrell Hodges, Chairman, JPMDL, to Involved Judges dated 5/4/05 re: presently before the Panel pursuant to 28:1407 is a motion to transfer which includes at least one action before you re: MDL-1695 In re Veeco Instruments Inc. Securities Litigation. The parties will have an opportunity to fully brief the question of transfer and the matter will be considered at a bimonthly Panel hearing session. In the meantime, your jurisdiction continues until any transfer ruling by the Panel become effective. (Mahon, Cinthia) (Entered: 05/16/2005)
06/06/2005	● <u>7</u>	NOTICE by Veeco Instruments, Inc., Edward Braun, John Rein, Jr <i>of Filing with MDL Panel of Reply Memorandum in Support of the Motion to Transfer and Consolidate Actions</i> (Serio, Robert) (Entered: 06/06/2005)
06/17/2005	● <u>8</u>	Letter from Michael J. Beck, Clerk, JPMDL, dated 6/14/05 re: Notice of Hearing Session on 7/28/05 at the Alfred A. Arraj U.S. Courthouse in Denver, Colorado 80202 at 9:30 a.m. re: MDL-1695 In re Veeco Instruments Inc. Securities Litigation.(Mahon, Cinthia) (Entered: 06/23/2005)
08/25/2005	● <u>10</u>	Letter from Dorothy Guranich, Deputy Clerk, SDNY, to Clerk, EDNY, dated 8/23/05 re: enclosing a cert. copy of the transfer order of the JPMDL transferring this action to the SDNY and assigning it to Judge McMahon for coordinated or consolidated pretrial proceedings pursuant to 28:1407. RE: MDL-1695 In re Veeco Instruments Inc. Securities Litigation SDNY Case # 05cv7452. (Mahon, Cinthia) (Entered: 10/07/2005)
08/25/2005	● <u>11</u>	TRANSFER ORDER (cert. copy) pursuant to 28:1407 this action is transferred to the SDNY, with the consent of that court, and assigned to

		the Hon. Colleen McMahon. Issued by the JPMDL on 8/22/05. Re: MDL-1695 In re Veeco Instruments Inc. Securities Litigation. (Mahon, Cinthia) (Entered: 10/07/2005)
08/25/2005		***Civil Case Terminated. (Mahon, Cinthia) (Entered: 10/11/2005)
08/26/2005	●9	Letter from Clerk, JPMDL, to J. Michael McMahon, Clerk, SDNY, dated 8/22/05 re: enclosing a cert. copy of a transfer order filed today by the Panel in this matter. The Panel's governing statute 28:1407, requires that the transferee clerk "transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred. RE: MDL-1695 In re Veeco Instruments Inc. Securities Litigation (Mahon, Cinthia) (Entered: 09/14/2005)
09/22/2005	●	Judge E. Thomas Boyle no longer assigned to case. (Lundy, Lisa) (Entered: 09/22/2005)

A TRUE COPY  
 ATTEST  
 DATED Oct. 11 20 05  
 ROBERT C. HEINEMANN  
 BY C. J. Mahon CLERK  
 DEPUTY CLERK